

**RESOLUTION NO. 05-067**

A RESOLUTION FINDING THAT THE STRUCTURE/S LOCATED ON LOTS 67 AND 69, ON WATER STREET, BERING'S ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, COMMONLY KNOWN AS **1443 SOUTH. WATER**, IS/ARE UNSAFE OR DANGEROUS AND DIRECTING THE STRUCTURE/S TO BE MADE SAFE AND SECURE OR REMOVED.

WHEREAS, the enforcing officer of the City of Wichita, Kansas, did on the 4<sup>th</sup> day of January, 2005, file with the governing body of said City a statement in writing that a certain structure/s, hereinafter described, was/were unsafe and dangerous; and

WHEREAS, the governing body did by Resolution dated the 4<sup>th</sup> day of January, 2005 fix the time and place of a hearing at which the owner, his agent, any lienholders of record and any occupant of such structure/s could appear and show cause why such structure/s should not be condemned and ordered repaired or demolished, and provided for giving notice thereof as provided by law; and

WHEREAS, such Resolutions were published in the official City paper on the 10th day of January, 2005 and 17<sup>th</sup> day of January, 2005.

WHEREAS, on the 15<sup>th</sup> day of February, 2005, this matter came back before the governing body for a hearing to determine whether the structure/s that is/are on the premises described herein is/are a dangerous building/s within the terms of Chapter 18.16 of the Code of the City of Wichita, Kansas, and/or K.S.A. 12-1750, et seq.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS AS FOLLOWS:

I. The governing body, after hearing testimony submitted by the Superintendent of Central Inspection and by other interested parties, reviewing the file, and after being otherwise duly and fully informed, finds as follows:

(a) Proper notice was served upon all interested parties entitled thereto in all respects as provided for at K.S.A. 12-1750 et. Seq. and by Chapter 18.16 of the Code of the City of Wichita.

(b) The primary structure/s at issue is/are: A one-story frame dwelling about 21 x 21 feet in size. Vacant for at least 18 months, this structure has a cracking and shifting concrete slab; rotted wood siding; and rotted wood trim. Photographs of the structure/s and testimony of the Superintendent of Central Inspection are incorporated by reference herein as though fully set forth herein or attached hereto.

(c) The owner (owners) of record of the property is (are):

Jon Roy & Mike E. Norton  
783 N. West  
Wichita, KS 67203

(d) There is nobody occupying the property and the lienholder(s) of record is (are):

Don Brace, County Clerk  
Sedgwick County Courthouse  
525 N. Main  
Wichita, KS 67203

Chris McElgunn, Attorney  
301 N. Main, Suite 1600  
Wichita, KS 67202

Office of Eric Melgren  
U.S. Attorney  
401 N. Market, Room 306  
Wichita, KS 67202

Office of John Ashcroft  
U.S. Attorney General, U.S. Dept. of Justice  
10th & Constitution  
Washington, D.C. 20530

**Mortgage Holders: None**

**Agent: None**

**Interested Parties:**  
Jamie Racelle Bubeck  
Address Unknown

Angel D. Coulter  
Address Unknown

II. The structure/s on the property is found not to be dangerous and unsafe or to constitute a public nuisance:

III. The governing body, based on the findings set forth herein orders that the structure/s is to be returned to regular housing code enforcement and condemnation action is hereby rescinded.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this Resolution to be published once in the official City paper and a copy shall be mailed by certified mail to the owners, agents, lienholders and occupants within three (3) days after the first publication of the

Resolution.

ADOPTED this 15<sup>th</sup> day of February, 2005.

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Carlos Mayans, Mayor

ATTEST: (SEAL)

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Karen Sublett, City Clerk